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17229 Lemon St.-Ste. # E7 Hesperia, CA.92345  
(800) 6760462 (760) 9497707 FAX (760) 948-1916

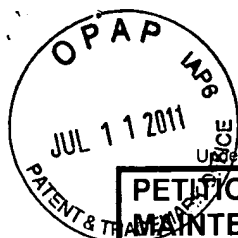
To whom it may concern:

We are considered a micro-small business and woman owned. I have been a neonatal specialty nurse and started this business about 20 years ago. I am filling petitions to reinstate on the following patents and all the documents and letters and evidence for the reasons for unavoidable delay of payment will be the same for all three: *Please accept one copy for all 3. It is a large # of pages.*

Photo Therapy Mask <i>Lee AKA Rogone</i>	"Bili-Bonnet" Dated: March 25, 1997	Appl. No.: 07826096 Exp: 2009	Patent No.: 5613502 Total Fees: \$ 2755.00
Thermal Humidity Barrier <i>Rogone</i>	"Climate Cover" Dated: April 3, 2001	Appl. No.: 09053346 Exp: 2005	Patent No.: 6210320 Total Fees: \$ 2430.00
Infant positioning device <i>Rogone</i>	"Preemie Nest" Dated: May 7, 2002	Appl. No.: 09500736 Exp: 2006	Patent No.: 6381787 Total Fees: \$ 2430.00

I wear many caps in my business and am only an expert when it comes to care of the babies, my husband a respiratory therapist and PA is responsible for the sales and distributors both domestic and abroad and my COO Kenneth S. Croteau RRT who handled many of our business affairs was trying to ensure that our fast growing business was keeping up with all FDA and international requirements for good practice as well as trying to ascertain that all aspects of the business were following all required guidelines and I pick up all financials and the patents and everything else that is not covered and that constitutes our entire administrative staff.

The attorney of record Mr. Lopez who I hired right out of law school joined a firm and handled these utility patents but neglected to inform me of the patent maintenance fees that were due at 3½, 7½ and 11½ years. He then moved to a different firm and we transferred all our business to the new firm but no one contacted us regarding the maintenance fees. I realize now that it was my responsibility and that fees are overdue and have expired. Besides the attorneys neglect there has been a series of terrible and overwhelming occurrences that have plagued our very small company. I fell at the first of the year 2005 and injured my back. Then in horrible pain I began an ordeal of doctors, pain medication, referrals, appointments and a botched surgery in Aug. of 2005. This surgery caused my back to collapse and I shrunk 3 inches in height and the pain was unbearable. I could hardly stand. Again I began another ordeal of, fighting with the HMO, finding a different doctor, and finally, a surgery at Cedars Sinai in Dec. of 2007, to rebuild my back. But, after the surgery and after all the trauma to my spine, my left leg was paralyzed with nerve damage and



U9  
CC

PTO/SB/65 (03-09)

Approved for use through 03/31/2012. OMB 0651-0016

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF  
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))**

Docket Number (Optional)

Mail to: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450  
Fax: (571) 273-8300

07/14/2011 DALLEN 00000007 6210320

01 FC:1599

2430.00

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent Number: 6210320

Application Number: 09053346

Issue Date: APRIL 3, 2001

Filing Date: APR. 1, 1998

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable:

The above-identified patent:

☐ is a reissue of original Patent No. \_\_\_\_\_ original issue date \_\_\_\_\_;  
original application number \_\_\_\_\_  
original filing date \_\_\_\_\_

☐ resulted from the entry into the U.S. under 35 U.S.C. 371 of international application  
\_\_\_\_\_ filed on \_\_\_\_\_

**CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

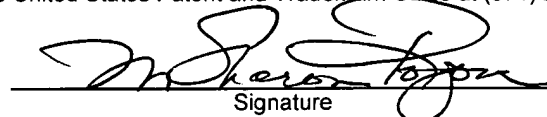
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is

(1) being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 OR

(2) transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

7/7/11

Date

  
Signature

M. Sharon Boone  
Typed or printed name of person signing Certificate

[Page 1 of 4]

This collection of information is required by 37 CFR 1.378(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

1. SMALL ENTITY

☒ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 ½ yr fee	(1551)	<input type="checkbox"/> \$ <u>490</u>	3 ½ yr fee	(2551)
<input type="checkbox"/> \$ _____	7 ½ yr fee	(1552)	<input type="checkbox"/> \$ <u>1240</u>	7 ½ yr fee	(2552)
<input type="checkbox"/> \$ _____	11 ½ yr fee	(1553)	<input type="checkbox"/> \$ <u>1730.00</u>	11 ½ yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 1730.00

4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(1) of \$ 700.00 (Fee Code 1557) must be paid as a condition of accepting unavoidably delayed payment of the maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ 700.00

5. MANNER OF PAYMENT

☐ Enclosed is a check for the sum of \$ 2430.00

☐ Please charge Deposit Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_

☒ Payment by credit card. Form PTO-2038 is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☐ The Director is hereby authorized to charge any maintenance fee, surcharge or petition fee deficiency to Deposit Account No. \_\_\_\_\_

P A P

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

7. OVERPAYMENT

As to any overpayment made, please

☐ Credit to Deposit Account No. \_\_\_\_\_

OR

☐ Send refund check

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

8. SHOWING

The enclosed statement will show that the delay in timely payment of the maintenance fee was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that this petition is being filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The statement must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which the patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly.

9. PETITIONER(S) REQUESTS THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.

  
\_\_\_\_\_  
Signature(s) of Petitioner(s)

7/7/11  
\_\_\_\_\_  
Date

M SHARON ROGONE (AKA Mary S. Rogone)

\_\_\_\_\_  
Typed or printed name(s)

\_\_\_\_\_  
Registration Number, if applicable

14043 CHOCO RD

\_\_\_\_\_  
Address

760-220-2141

\_\_\_\_\_  
Telephone Number

APPLE VALLEY, CA 92307 usa

\_\_\_\_\_  
Address

ENCLOSURES:

- ☒ Maintenance Fee Payment  
☒ Statement why maintenance fee was not paid timely  
☒ Surcharge under 37 CFR 1.20(i)(1) (fee for filing the maintenance fee petition)

☒ Other: MEDICAL RECORDS, DEATH CERTIFICATES, LETTER FROM MD

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37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

M Sharon Rogone  
Signature

7/7/11  
Date

M Sharon Rogone  
Type or printed name

\_\_\_\_\_  
Registration Number, if applicable

STATEMENT

(In the space below, please provide the showing of unavoidable delay recited in paragraph 8 above.)

See letter, death certificates, medical records attached.

(Please attach additional sheets if additional space is needed)